THE COURTS.

Important Decision as to the Powers of Harbor Masters.

THE TELEGRAPH PATENT SUIT.

Penalty of Making Love to an Employer's Daughter.

A decision made yesterday by the Marine Court, in the case of Edward G. Tinker, as Captain of the Port, against John Stillwaggon, the pilot of the steamboat J. B. Schuyler, is of importance to the shipping interests of this port, as it defines the powers of the Captain of the Port and harbor masters over the piers and wharves of the city. It appears that during the past summer the steambest J. B. Schuyler was in the habit of landing at pier 55, foot of Grand street, East River, in carrying excursion parties to and from Bridgeport, Conn. The pier immedi-ately adjoining is used as the slips of the Brooklyn Ferry Company, and has been used as a ferry terminus for over seventy years. The ferry company complained to the Harbor Mas-ter of the district that the Schuyler, on account of her length, which is 200 feet, overlapped the ferry slips, and in that way prevented the ferryboats from slips, and in that way prevented the ferryboats from making their trips on time. Harbor Master James M. Thomson thereupon investigated the charge, and, finding it well founded, ordered the pilot of the Schuyler to discontinue his landings at pier 55 and go to pier 57, at the foot of Broome street, which the Harbor Master assigned the Schuyler instead. The de-Master assigned the Schuyler instead. The defendant declined to recognize this order, and in defance of it, and under protest of the Harbor Master, the Schuyler made a landing on Sunday, the 9th of June, 1878, at pice 55. Resistance was offeced and arrests were made by order of the Harbor Master and Captain Copeland, of the Municipal police, who was setting in his sid. The persons arrested were afterward discharged, and brought civil actions against the Harbor Master and Captain Copeland, in which they were arrested and held to bail. These troubles and arrests were noticed in the Harbar at the time and excited considerable attention. The Captain of the Fort, to stop these controversies and to settle the powers of the harbor masters in like cases, brought suit in the Marine Court for recover the penalty of \$50, imposed by and under section 7 of chapter 487 of the Laws of 1862, upon those who disobey and refuse to perform the lawful commands of the harbor masters. The case was thoroughly contested and every possible ground of objection urged to a recovery, Judge McAdam in his opinion, after going wer the law and facts, and citing numerous uthorities, decides that the law under which the laintiff seeks to recover, in so far as it seeks to cashish a harbor regulation, or creates a police or onstabulary authority to prevent overcrowding and onfusion, and to facilitate equal rights among the hipping in the harbor, is not in conflict with any rovision of the constitution of the Chitale States, nor f tederal law, nor of the State constitution. He furler life that it was improper for the Schuyler, in onsequence of her length to land at pier 55, on account of its proximity to the ferry solips, and of the encertain and tricky eddy tide in the vicinity which had often forced the ferry solips, and of the encertain and tricky eddy tide in the vicinity which had often forced the ferry solips, and of the encertain and tricky eddy tide in the vicinity which had often forced the ferry solips, and of the schuyler, at broome stree hance of it, and under protest of the Harbor Master,

THE TELEGRAPH INJUNCTION.

The argument in the suit brought by Clinton G. Colgate against the Western Union Telegraph Com-pany was continued yesterday before Judge Blatchinjustice of a permanent injunction being granted, and said that if before the Master in Chancery on the accounting it should be shown that the india the accounting it should be shown that the india rubber patent was equal to that of the plaintiff's a license fee would be small, and that the ends of justice would be met by the defendants being put in bonds. Ex-Judge Shipman followed for the plaintiff, Colgate, and delivered an argument which occupied the attention of the Court for nearly four hours, and said that the suggestion of security made by defendant's counsel could be urged in every fujunction case on a final decree. The practice of the courts was, however, to grant the injunction, and there ought to be strong reasons for making an exception in this particular instance. It was a suit, to use the language of the late Mr. Orton in his letter to the widow of the complainant, that "must be settled on business principles." The license fee of \$100,000 required by the plaintiff was very liberal. Twenty-four million messages had been received by the company during the last year, at an average profit of thirteen cents per message, and they could well afford to pay a fee for an invention that had helped them to make so much money. It was claimed that this invention was only used on 30s miles of wire, but it must not be forgotten that this invention was the connecting link.

Ex-Judge Porter occupied the remainder of the day on behalf of the defendants and urged, very fully, that the plaintiff would be fully protected during the interval between the present time and the decision in the United States Supreme Court.

The argument will be continued this morning at eleven o'clock.

A BEWILDERED BUTLER. per patent was equal to that of the plaintiff's

A BEWILDERED BUTLER.

Ernest Delacourt, at present confined in the Insane Asylum on Ward's Island, presented yesterday to Judge Davis, in Supreme Court, Chambers, through his counsel, Mr. William F. Kintzing, a petition for a writ of habeas corpus with a view to his discharge In his potition he states that, although confined as a lunatic, he is not now and never has been insane; that previous to his present incarceration he was a but er in the employ of the Rhinelander-Stewart tamilies, and that he was arrested in September last, on a charge of disorderly conduct, at Highland Falls, this State, committed to the jail at Newburg, and from there sent to Middletown, from which place he was subsequently transferred to Ward's Island. Delacourt also averred that the said charge of disorderly conduct graw out of the alleged intimacy between himself and the daughter of the family with whom he was then staying, and that in order to get rid of him the relatives of the girl caused him to be arrested on the charge stated, on which he was committed as a lunatic, notwithstanding his protest that he was sane and had committed no offence. On this state of facts Judge Davis granted the writ asked for, and the matter will come up in the Chambers of Supreme Court for argument this morning. In his petition he states that, although confined as a

THE RAILROAD LAND GRANT. Following the recent order of Judge Donohue giving to the New York Central and Hudson River Railroad Company the land west of its track, between Sixty-firth and Seventy-second streets, and appoint ing commissioners to appraise the value of the lands, application, as will be remembered, was made to Judge Davis for a stay of proceedings in the case, pending an appeal from Judge Donohue's order, Judge Davis, yesterday, gave his decision in the case as follows:—"I think the proceedings ought not to be stayed at this stage. An order of stay is quite sure to produce unnecessary clays, both in bringing appeals and in pressing them to a hearing. No harm will result in allowing a hearing before the commissioners to proceed pending the appeal, and, if necessary, the tieneral Term can take care that none of the rights of the appealants are prejudiced by the action of the commissioners. If the appealants shall ultimately prevail they will sustain no injury by the proceedings before the commissioners, because the case must, in any event, be at the expense of the railroad company, and be taxable in favor of the appellants if they are successful. The motion should be denied, without prejudice to an application for stay, to be made to the General Term, and whenever the appeals are ready for a hearing." ing commissioners to appraise the value of the lands

SUMMARY OF LAW CASES. ere was a further adjournment yesterday before

Judge Davis, until the 2d of next month, in the in-

estigation suit brought by Walter S. Hill agains Edward Mollenhauer and Henry Barnard in regard to the operetts, "Manhattan Beach; or, Life Among the Breakers."

the Breakers."

John Morris, a laborer, who vented a grudge toward Michael Leaby, of No. 520 West Tuity-ninth street, by striking him on the head with a hammer, inflicting dangerous wounds, was yesterday in the Court of General Sessions sentenced by Judge Gildersleve to one year in the Penitentiary.

The trustees of the College of the City of New York made on Saturday last an application to Judge Davis for a mandamus against the Board of Estimate and Apportionment to compel it to increase its list of apportionment at 26,000 for the support of the college during the coming year. The Board having consented to make the apportionment, Judge Davis yesterday dismissed the proceedings.

Judge Davis yesterday refused to vacate the order of arrest in the suit of Andrew Honor against William Smith, the former charging the latter with the abduction of his daughter Pauline, on which Smith was committed to Raymond Street Jail, in Brooklyn, in default of \$2,500 ball. Judge Davis, however, reduced the ball to \$750.

John S. Downing, the shoemaker who, as alleged, kicked his wife Margaret to death in the tenement house, No. 454 West Nineteenth street, was yesterday arraigned for murder in the first degree in the General Sessions Court. The prisoner pleaded not guilty and was sent back to the Tombs.

Bernard and Anna Goldstein, keepers of a second hand clothing store in Baxter street, were convicted in the Court of General Sessions of receiving twenty-one numale coats, stolen from a neighboring tailor. Judge Gildersleeve yesterday sentenced Goldstein to one year and six months and his wife to one year in the Fenitantiary.

A few days since Teresa Badurroco, an Italian girl, eight years of age, having been found begging in Broad street, was committed, on application of the Society for the Prevention of Crueity to Children, to the care of the Sisters of St. Dominick. An application on a writ of habeas corpus for her discharge was denied yesterday by Judge Davis, on the ground that he saw no good reason for her removal from her pr John Morris, a laborer, who vented a grudge

that he saw no good reason for her removal from her present place.

Frank Blum, a resident of Norwich, Conn., brought a stit for divorce against his wife, Lizzie Blum. The same was referred to A. M. Petshaw, who reported the following facts:—The parties were married in this city in 1874. About a year after the marriage the husband discovered his wife to be fonder of the company of other men than is generally considered compatible with the married state. He then left her, and the partner of his weal and woe became an inmate of a well known house of prostitution, where she was served with the process of the Court. There being no issue of the union or other obstacle, Judge Van Hoesen erdered the marrial relations to be severed. Mr. George H. McAdam appeared for the plaintif.

COURT CALENDARS-THIS DAY.

COURT CALENDARS—THIS DAT.

SUPHEME COURT—CHAMBERS—Held by Judge Davis.—Nos. 299, 301, 302, 303, 308, 311, 87, 34, 96, 136, 183, 198, 250, 262, 282, 289, 304, 306, 307, 309. Call begins at No. 313.

SUPERIOR COURT—SPECIAL TERM—Held by Judge Freedman.—No day calendar.

COMMON PLEAS—SPECIAL TERM—Held by Judge Van Hoesen.—No day calendar.

SUPHEME COURT—SPECIAL TERM.—Adjourned until Thursday, January 2, 1879.

All other State courts have adjourned for the term.

IS HE A PADRONE?

AN ITALIAN GIRL ASSERTS THAT SHE WAS SOLD INTO BONDAGE BY HER FATHER.

Among the steerage passengers on the steamship Greece, which arrived from London on Saturday last, was an Italian girl, twelve years of age, named Angela Maria Margherita Galla. She was in charge of a villanous-looking Italian named Antonio Sicco, who attempted to pass the girl off as his daughter when at Castle Garden. Superintendent Jackson did not like the looks of Sicce, and he examined the girl in relation to her previous history. She denied that Sicce was her parent, but maintained that he had purchased her from her father, who resided in the District of Aleasandria, Italy. Angela sall that Sicce told her that he intended to take her to Memphis, Tenn., where she would obtain employment as a domestic in a wealthy family, which would pay her thirty trancs per month. He was careful, however, to remind her that this money must be turned over to him until such time as she had paid back to him the money expended on her passage. Sicce was interviewed about the case and stated that he had been in this country once before, in the employ of a resident of Memphis named Irving Halsey, as gardener. He left for Italy in November, 1877, and a month ago received a letter from his former employer asking him to return. In proof of his assertion he produced a letter with the heading, "Young & Halsey, law offices, Memphis," in which Mr. Halsey states that he sent him \$60 to pay his expenses to this country. He claims that he brought the girl to the United States to obtain for her a good situation with his employer. To the question whether the girl's statement that he had bought her from her father was true Sicce answered no. He claimed that he was a distant relative of Angela, and said that he passed her as his daughter, thinking it would be for the best.

Superintendent Jackson has detained for information concerning Sicce. they were brought forward to register their names at Castle Garden. Superintendent Jackson did

THE FOSCO CHILDREN. .

JUDGE DAVIS WILL NOT ALLOW THEM TO BE USED AS ORGAN GRINDERS OR RAGPICKERS. Both in the United States and Supreme courts there has been for some time a pretty active litiga-tion, growing out of the alleged kidnapping in Italy Stefano Fosco and Carmen A. Fosco, aged thirteen and fifteen years respectively. It will be remen bered that the Italian government notified by telegraph the Consul General here that de Grazia was ing to this country with four children in

graph the Consul General here that de Grazia was coming to this country with four children in October last. The Consul General at once gave information of the fact to the Society for the Prevention of Cruelty to Children. The different lines of steamships were kept under surveillance, and de Grazia, with the two Fosco boys, were taken into custody. De Grazia was taken before United States Commissioner Osborn on a charge of kidnapping the boys. This resulted in a dismissal, there not being sufficient evidence to hold de Grazia. The boys, meanwhile, were placed in the custody of the society, which handed them over to the Italian Consul, who in turn placed them temporarily under the charge of the Commissioners of Emigration. Arcangelo Fosco, who says he is a brother of one of the boys and a cousin of the other, and follows the vocation of rappicker, applied to Judge Davis through habeas corpus proceedings for their release. Judge Davis gave his decision yesterday on this application, refusing to grant it, and giving the following as his reasons for doing so:—

"JUGE DAVIS DECISION.

"The relatives are not legally entitled to the custody of the children named in the writ. The return shows that they are temporarily held by the respondents, at the request of the Consul General of Italy, as children unlawfully abducted from that kingdom for the purpose of subjecting them to a species of servitude in this country. Under the circumstances the Court should not interfere with their custody unless it be necessary for their personal satety and protection. The Commissioners of Emigration act wisely in their efforts to prevent the traite said to be carried on by the introduction of Italian children bought of their parents, or forcibly or frandulently abducted, for the purposes of using them so species of servitude in their efforts to prevent the traite said to be carried on by the introduction of Italian children bought of their parents, or forcibly or frandulently abducted, for the purposes of using them so or frandulently a

JAKE HATZEL'S COMPLAINT.

Jacob A. Hatzel, of No. 97 Second avenue, appeared yesterday before Judge Wandell with two witnesses— Messrs. Cloudy and Fisher—and accused Thomas Bowland, of No. 107 Hester street; Cornelius Foley, Bowland, of No. 107 Hester street; Cornelius Foley, of No. 33 Allen street; Washington E. Hali, of No. 125 Eldridge street, and Michael Murphy, of No. 125 Canal street, of having falsified the returns of the Eleventh Election district of the Eighth Assembly district on the 5th of last November. A warrant was issued for the arrest of these men, who were inspectors at the time specified, and Sergean Long, of the court squad, captured Bowland and Poley. The other two were not arrested. Cloudy and Fisher, who say they were present at the time the count for Ablermen in that district was being made, swore that Bowland, who was chatriman of the Board of Inspectors, announced in a loud voice that Mr. Hatzel had received ninety-three voice, and that these figures were afterward changed to twenty-three. Mr. George Hall, who was cleated Alderman, was present at this preliminary hearing when Judge Wandell held Bowland and Foley in \$1,000 ball each.

SOMEWHAT HIGH-HANDED.

Mrs. Dolf, of No. 56 Eldridge street, at Essex Mar ket Police Court yesterday complained that she had been roughly handled by one of the employes of M. E. Wentworth, of No. 111 Bowery, under very aggravating circumstances. She said she bought a few articles of furniture at the store, paid §1 deposit on them, and was to pay §4 more when the goods were given to her at her house. The carman brought them to her residence yesterday and wanted his money before delivering the goods. Mrs. Dolf retused to give it and he took the things back to the store. Thither Mrs. Dolf repaired, and when she saked for her doller was, as she says, kicked out by an individual, who, on being arrested, represented himself as Mr. M. E. Wentworth. This was not his name, however. The real Mr. Wentworth came to court, said the man was his employe and acted unauthorizedly. He gave the woman her dollar and her assailant, Charles Marshail, was set free. THOSE MISSING BONDS.

NO TIDINGS OF BROKER HULL, WHO IS CHARGEI WITH HAVING WALKED OFF WITH THEM.

Up to a late hour yesterday afternoon the firm of Field & James, brokers at No. 16 Broad street, had received no tidings of John W. Hull, whom they charge with having victimized them out of \$30,000 in four and a half per cent bonds on Saturday after noon. Mr. James stated that, besides the police force, he had private detectives looking after Hull, and he hoped he would soon be arrested. Some time ago Hull purchased \$10,000 in bonds from Field

A James and paid for them.

A curious incident in connection with the flight of Hull was the return by the latter to M. Morgan's Sons, brokers at No. 39 William street, of \$245, the amount of a draft for £50 bought by him two weeks ago. Mr. Morgan had sold him this draft on December 13, and to his astonishment was informed by one of his clerks that Hull had not paid for it. He (Morgan) instituted inquiries at the different hotels where Hull was accustomed to stop, but could obtain no intelligence of his debtor. He therefore determined to try the value of advertising, and accordingly the following advertisement was inserted in the Personal

oolumn of Sunday's HERALD:—
Mr. J. W. Hull will please call at the office of M. Morgan'sons', No. 39 William street. A SURPRISED BROKER.

Hull had, as alleged, stolen the bonds from Field & James, and as soon as Mr. Morgan learned of the theft he gave up all hopes of receiving payment for his draft. His intention, however, was to stop pay ment of the draft in London; but to his great sur prise on arriving at the office yesterday morning he found the following letter awaiting him:—

M. Mongan's Sons:—

Dear Stus—I am vory sorry that your 250 should have been overlooked. I gave directions that it should be paid two weeks ago and more—that is, the day after the parchase. I new enclose 245. Your struly, J. W. HULL.

This money was in greenbacks, and was the exact

velope was half-past eleven P. M., and it was posted at the General Post Office on Sunday night. It will be remarked that the letter was dated yesterday.

To a reporter yesterday Mr. Morgan said that the Henald personal had undoubtedly frightened Hull, because the draft which he (Hull) had purchased was intended for the use of his children, who are a present residing in the suburbs of London. present residing in the suburbs of London. The draft had been sent on the vessel salling on December 14, and would not have reached the London banking house before December 27. Hull's family lived some distance from the city, and the money would not have been paid to them, perhaps, for three or four days. For this reason Hull, fearing, by their advertisement, that Morgan's Sons intended to stop payment on the draft, took the first opportunity of setting. To a question whether he was well acquainted with Hull Mr. Morgan replied that he had known him for six or seven years, but not intimately. Hull had had several transactions with his firm, which he had always met promptly. That he should have run away with \$30,000 in bonds surprised Mr. Morgan very greatly, as the latter remarked that he would have trusted him at any time with double that amount.

MILL'S PREVIOUS CARKER.

Mr. Expler of the law firm of Dunning Edson

Morgan very greatly, as the latter remarked that he would have trusted him at any time with double that amount.

Mr. Fowler, of the law firm of Dunning, Edson, Hart & Fowler, of the law firm of Dunning, Edson, Hart & Fowler, said yesterday that Hull was a defaulter once before in a large amount. He stated that between the years 1879 and 1876 Hull was in the employ of a firm well known in this city as large importers of wines and cigars, of which he was one of the counsel. Hull came to them for employment, arned with the highest recommendations, and with the reputation of being a very wealthy person, who desired a situation simply to occupy his time. He was engaged as bookkeeper and accountant at a salary of \$2,500 a year. In 1876 the firm discovered, as Mr. Fowler says, that Hull had filled up a check for a larger amount than the transaction called for. This aroused suspicion, and it was resolved to make an examination of his accounts. Afraid to incur the displeasure of their supposed wealthy employe the firm had to examine his books at late hours of the night, as Hull was always at the office the first in the morning and generally remained there until everybody else had gone home. After a thorough examination it was discovered that Hull, by means of false entries, by false footings and overcharges and by false and forced balances had defrauded his employers out of more than \$33,000. A civil suit was brought against the delinquent bookkeeper and judgment obtained, and an order for Hull's arrest was placed in the hands of a deputy sheriff. At this time Hull was stopping at the New York Hotel, and on May 16, 1876, the deputy sheriff found him there and informed him that he was a prisoner. Overtures were made to him for the return of the money, but for a long while Hull remained obstinate. Finally he was offered the alternative of going to Sing Sing or setting the matter, and he chose the latter, returning the full amount, \$33,000.

Hull's character among the proprietors of some of the chotels at which he stopped

for Hull's baggage, which consisted of two trunks, a valise, a cans and an umbrella. Placing them on the top of the vehicle he drove up town. Besides this baggage Hull had a valise, which was left in the hotel, and in which was found, when it was opened yesterday, a black wig, some letters from his wife and daughters, dated Germany, in the years 1809 and 1870. There was also a notice of forcelosure of a mortgage of the Equitable Life Assurance Society against Wolfgang and others, Hull being classed as one of the decendants. The paper, according to the writing on it, was served on Movember 10, 1878. It is supposed that Hull was an agent of an estate, and that this paper was an account of that trust.

The arm of Field & James advertised yesterday for the driver of the coupé that took Mr. Hull's trunks from the Park Avenue Hotel, but had not received any reply last evening.

ANOTHER LIFE SAVED.

NAN'S COMBADE, GILBERT LONG, GOES SUCCESS FULLY TO THE RESCUE-AN UNGRATEFUL DUTCHMAN.

The New York Volunteer Life Saving Corps has cored another heroic deed to its credit. This time was Gilbert Long who risked his own life for that of a fellow man. Last evening he came into the Heraldoffice in company with his two associates, William O'Neil (Nan the Newsboy) and Edward Kelly, and

"I was a-standin' on the end of pier 28 East River " said he, "a-waitin' for my partners to come down, for we generally begins our patrolling about six o'clock, when I see this here man a-actin' pretty full an' I was a-thinkin' as he'd go over. Suddenly he did lose his balance and went off the stringpiece, head and heels. He slipped right under the ice. I didn't wait for nuthin', but I just slipped off my coat an' went after him. I tell you it wasn't no fun, now, among them blocks of ice, and I hurt my kneecap, too, when I went in. I had a pair of big gum boots on and two coats, besides the one I three off. He was a big felier, he was. He must 'a wedghed 400 pounds. He's a Dutchman, his name's Jacob Brollman and he lives in Stagg street, Brooklyn. Afore I took hold of him I hit him a wipe behind the car; that fetched him. Oh, I'll do that sure every time, 'cause it you don't they'll drownd you. We've had enough o' this grabbin and gittin' carried down to the bottom, an't we, Nan?' Nan signified his approval, as did also the pale-faced Edward Kelly.

"This is the twenty-fifth life we've saved," said Gilbert.

"An' it's his seventh since last May," said Kelly.

"I had a good tussle with this feller," resumed Gilbert. Certainly the big dinner that we's eet Saurday night ought to have made me cat and strong; but it was pretty tough work to hold him up unnong them pieces of kee. I hollered and some Jongshoremen came and hauled him in. What do you taink he said I ham't no right ter hit him. But we has to do that, you know, man, woman or child, and almost every one what we gits out turns round an' abuses us."

"Have you get your new boat yet?" asked a reporter.

"No, an' I don't know as we ever shall get it. The man—that's Shaw—he tellegraphed me to-day that we must go to Roslyn and git it, an' I don't want to go after it. He wants us to paint his name on it and we don't want to. We only want 'Volunteer Life Savin' Corpse' on the bow and the name 'Rescue' on the stern. We don't care about carrying round an advertisement for people."

Just before leaving Nan said, with pride, "Captain Boyton is a membel of our 'sociation now."

"He's a hen'ry member," chimed in the others. balance and went off the stringpiece, head and heels.

BAD FOR THE JUSTICE.

The committee appointed by the township committee of Guttenburg, N. J., to examine the books of the ex-Treasurer, Judge John Dwyer, have com-pleted their report. In it they say they found a de-fleiency in Judge Dwyer's accounts amounting to \$1,632 85, and that the discrepancies exist principa in the account of interest and sewer assessments besides the above the committee aver they discovered a torged improvement certificate, no record of which appears on the township books. Judge Dwyer is under \$1,000 ball to appear before the present Grand

OUR COMPLAINT BOOK.

[Norg.-Letters intended for this column must b ied by the writer's full name and address to ins relation. Complainants who are unwilling to compy with this rule simply waste time in writing. Write ally on one side of the paper.—Ed. Herald.]

TO THE EDITOR THE HERALD:—
Please inform u. whose business to Please inform to whose business it is to remove ashes and garbage (and ow often) from Crosby street, and oblige, LEVY BROS, & CO.

TICKET SPEC ATORS.
TO THE EDITOR OF THE HERAL. When shall we be rid of the the speculators? One cannot go to a place of amusem without enmanagers of theatres are responsible for tem. The men, who will not earn their living by day Theawork, are nuisances.

THEATRE-Onest

ELEVATED RAILEOAD OBSTRUCTIONS. TO THE EDITOR OF THE HERALD:-

I reside in Thirty-fourth street, between Second and Third avenues. Some weeks ago large stones were deposited along the sidewalk for the elevated road. The company will save themselves the expense of some accident if they direct their men to turn the stones around, so as to make more room for persons passing by.

A SUFFEREN.

THE NORMAL COLLEGE COACHES. TO THE EDITOR OF THE HERALD :-

Permit me to inquire why we young ladies are de prived this winter of the convenience of the coaches which formerly ran to the college? Their advangreat, and the expense of having them call for and take us to and from the college not extravagant. I am informed that the deprivation is but another "red tapism." Will you kindly agitate the question and receive the thanks of the students, of whom I am ONE.

TO THE EDITOR OF THE HEBALD:-Many thanks to "Pime" for his complaint shout morning was made in fifty minutes, thus beating the famous passage on Saturday morning by fully eighteen minutes. In the company studied the interest teen minutes. If the company studied the interest of the passengers why don't they make an arrangement with the other line to stop at the long dock on the trips made by the Morrieania? The excuse of not being able to prootfre a suitable boat is ridiculous. Any number of boats can be had it wanted, but the fact is they don't want to put a boat on if they can force the passengers to lay over a trip. As sure as sparks fly upward the pockets of the stockholders will have to pay for the inconvenience the passengers have to put up with. Cold and badly lighted boats will be abandoned for the elevated road.

ADMISSION PEES IN CATHOLIC CHURCHES. TO THE EDITOR OF THE HERALD:-

I would inform "N.." who writes under the abov neading, that no such customs obtain, as he alludes to, of forcibly compelling attendants at public wor-shap in Catholic churches to pay an admission fee in Buffalo Cathedral ten cents is collected after the per-

Buffalo Cathedral ten cents is collected after the person is seated, and, with the occasional exception of St. John's, in St. Louis, all other Western churches are as free as City Hall square.

I was surprised and indignant on Sunday upon attending, with some friends, St. Peter's Church, in Jersey City, to find myself pounced upon by a greedy official who sold tickets of admission. So strongly did the occurrence remind me of a theatre that I was on the point of asking him for a "parquet." Now, Catholic churches are or are not supported by voluntary contributions of the "faithful." If they are, his system, so extraneous to Catholic usages all over the world, is an anomaly fraught, as "N." remarks, with grievous consequences to the church practising it. If they are not, why are they not conducted and advertised as the theatres are, and the admission fee mentioned? A WESTERN CATHOLIC.

JUSTICE PINCKNEY'S TRIAL.

The first witness called before referee Oliver P. ncy was ex-Judge Richard Busteed, who testified as follows:—I know Justice Pinckney well and have known him for over twenty-five years; I had cases before him during the years 1876-77; his demeanor on the Bench was perfectly judicial; I never saw him drunk on or off the bench. George P. Gough and Mr. Nugent were the next

witnesses, the former a lawyer and the latter a city marshal, but their testimony was unimportant. William B. Fowler, a lawyer, stated that he drank

from the tumbler which the Justice usually used and never detected any flavor of liquor about it. and never detected any flavor of liquor about it.

On cross-examination the witness said:—I have not visited Justice Pinckney more than ten or twelve times in his private room and don't remember taking a drink with him outside of the court room; never have been drunk with him or anybody else in my life; I consider a man drunk when he cannot go home or has to be locked up.

John N. Kein and Elias G. Levy were then examined. From the former nothing of importance was elicited, but the latter said:—I dismissed a juror in

ined. From the former nothing of importance was elicited, but the latter said:—I dismissed a juror in the trial of a case and I think the Justice was drunk on that occasion.

On the cross-examination Levy said he helped the Justice down stairs, but did not notice the odor of liquor on his breath.

Mr. Peter Deelger, who frequently acted as a juror in Justice Pinckney's court, testified that he had never seen anything wrong in the conduct of the Judge on the bench.

Mr. Hess, a collector, said he had attended Justice Pinckney's court, and had understood that last year His Honor was suffering from malarial fever.

Mr. Frederick R. Coudert, the lawyer, testified that he once had a case before Justice Pinckney, on which occasion he found his mind clear and unclouded.

Mr. Alexander H. Reavey, of Justice Pinckney's counsel, here made an appeal to the referee for an adjourgament of the case until one week from to-day.

Mr. Miller, on the part of the prosecution, desired to go on at once, and claimed that the arguments of the defence were insufficient and trivial. Mr. Buell decided to continue the reference from day to day. The investigation will be resumed at half-past three P. M. to-day. The investiga

PACIFIC RAILROAD LITIGATION.

JUDGE SPEIR GIVES JUDGMENT AGAINST COMMO DORE GARRISON-DEFENDANT'S DEMURRED OVERRULED.

After several weeks' deliberation, Judge Speir, of the Superior Court, yesterday rendered his decision on the demurrer to the amended complish in the suit of Peter Marie and others against Cornelius H. Garrison and another. The plaintiffs held in their own right and in trust for disposition 35,000 shares of stock of the Pacific Railroad of Missouri. The third mortgage bondholders were for closing—the defendant Garrison holding the majority of the bonds. Certain of the shareholders were contesting the foreclosure on the ground that the bonds were delusive and fraudulent and the mortgage unaudelusive and fraudulent and the mortgage unauthorized. They interposed an answer and filed a
cross bill. Some of the plaintins had filed a petition
for leave to come in and defend in a foreclosure suit
on their own behalt. The foreclosure was in the interest of the defendant Gatrison, who desired to obtain an adjudication establishing the bonds. With a
view of compromise and to prevent plaintiffs from defending against the foreclosure, he entered into the
agreement with the plaintiffs, expressed in a letter of
his dated on the 20th March, 1876. The plaintifs porformed their agreement, and in consequence thereof
the defendant was able to procure a judgment and
decree of foreclosure, and the road was sold on 16th
September, 1876. At the request of the defendant
the plaintiffs surrendered the letter referred to to
him, and consented to a modification of its terms, in
consideration of which the defendant agreed alsolutely to purchase the road at the foreclosure sale
and reorganize the company, and deliver to the plaintiffs 36,00 full paid shares in the new company.
They organized as new company, under the title of
the "Missouri Fracific Railroad Company," the defendant becoming president. After request by the
plaintiffs the defendant refused to perform his agreement or to allow the plaintiffs any interest in the
new company. JUDGMENT FOR THE PLAINTIFFS.

new company.

The complaint was demurred to on several grounds, the first being an allegation of want of facts. On this point Judge Speir in his decision says a complaint is not to be deemed as uniting several causes of action because it sets forth several grounds of action on either of which the detendant would be liable. In this case the subject matter of the action is the contract, and the cause of the action is the contract, and the cause of the action is the alleged breach by the defendant. The Code merely requires a concise statement of the facts constituting the cause of action; facts only ought to be stated, not arguments or inferences. Judge Speir next discusses the second ground of the demurrer to the sufficiency of the facts, and holds that the same is not well taken. The third ground of demurrer is a misjoinder of parties; that the plainting do not appear from the complaint to have any joint action or any common right to unite in complaint. This ground Judge Speir also holds not to be well founded, and accordingly gives judgment for the plaintiffs on the complaint, overruling the demurrer, with costs.

ERIE NARROW GAUGE

ERIE NARROW GAUGE.

The first narrow gauge train ever run over the Eric Railway left Buffalo last night for New York. It was composed of twenty new freight cars, drawn

by one of the new fifty-ton consolidation engines, all of the standard gauge. The work of changing the gauge has been vigorously forwarded. This morning one of the new consolidation engines, with a trein of twenty new narrow gauge freight cars, will leave Jersey City for the West via the Eric Railway. This will be the first narrow gauge train ever run on that road westward. While the gauge was being reduced to the standard the management was pushing the construction of an entire new equipment, so that when the last rail was laid effecting the change of gauge the new locomotives and cars were ready for use. by one of the new fifty-ton consolidation engines, all

NATIONAL GUARD REFORM.

PREPARATIONS FOR THE INTERSTATE CONVEN-TION-REPLY TO THE OPPONENTS OF THE NEW SCHEME OF ORGANIZATION.

The officers who are interested in the new scheme

for the reorganization and improvement of the Na-tional Guard throughout the entire Union are actively pushing forward the preparations for the Interstate Convention to be held in this city on January IT. They have held communication with the leading officers of many States and have received reles which encourage them to expect a very general surabitation at the Convention. Positive as-attendadiave been given that delegates will be in attendadave been given that delegates will be in Island, Nevom Massachusetts, Connecticut, Rhode and Californizsey, Pennsylvania, Tennessee, Iowa and Alabama shelyices from Ohio, Indiana, litinois atives will also be great likelihood that represent-States. The selectioned from the militia of these represent New York has committee of officers to

Governor, who has not yeller in the hands of the State conventions have been his choice. Other cheeted by their brother officed, and delegates the secretary of the Executive Comparal Wingston, charge of the movement, has rect. which are communications enclosing reports of humber of tings of such conventions. That in Coll Sproceetings of the convention was elected:—"I took the Interstate Convention was elected:—"I took offeneral Stephen H. Smith, commanding Comfa to National Guard; Octonels L. A. Barbour First ment, at H. Pubbs (Third regiment), Charles I. A. Barbour First ment, at H. Pubbs (Third regiment), Charles I. A. Barbour First ment, at H. Pubs (Third regiment), Charles I. A. Barbour First ment, at H. Pubs (Third regiment), Charles I. A. Barbour First ment, at H. Pubs (Third regiment), Charles I. A. Barbour First ment, at H. Pubs (Third regiment), Charles I. A. Barbour First ment, at H. Pubs (Third regiment), at H. Pubs (Third

do this with any effect they must have more expensive equipment, and more scientific training than would be necessary for the suppression of domestic tunuits, and it is only just that the government should provide for the extra expense of such equipment and training. The railroad strikes have shown the need of effective militia organization, as indeed the civil war did many years ago. The present movement aims at obtaining such efficiency, without any change in the nature or control of the National Guard."

TEREPRESSIBLE GARRULITY.

Looking daggers at each other the members of the Gillifeather family stood in the Jefferson Market Police Court yesterday. There were Mr. and Mrs. Morrison and her sister. Miss Gillifeather, and her father. Mrs. forrison and her sister were on one side of the case, Messrs. Morrison and Gillifeather père on the other, while Counsellor Abe Hummel's gigantic frame acted as a legal fender between the opponents to prevent mischief. Judge Otterbourg was assailed at the very outset by all the parties, who insisted upon talking outset by all the parties, who insisted upon talking at once. Mr. Hummel then, with a forensic fourlsh of his hand, thought to bring about something like order, but his motives were divined by Mr. Gillifeather, who proceeded without further delay to hurl himself headlong rhe-orically at the magistrate.

"Stan' aside," said he, "I'm Gillifeather, and Miss Gillifeather is me darter, an' so is Mrs. Morrison. Judge, whin the stars begin to twinkle on the 24th of Janery, Miss Gillifeather "ill be..."

"If Your Honor please," deprecatingly interrupted Mr. Hummel.

"If Your Honor please," deprecatingly interrupted Mr. Hommel.
"Whisht! Howld an. This is the highest coort in the lan", an' we'll get justice, so we will. Come up here, Morrison, an 'lell the Jedge all about it. (Then, condentially to the magistrate.) Whisper! He have the law at his fingers 'inds, from Blackstone down. Listen to him. Listen to him."
"Now, if Your Honor please, I must respectfully submit—"

"Now, if Your Honor please, I must respectfully submit—"
"Give it till 'em, counsellor; givô it till 'em!" shouted Gillifeather. "I'm her father an' I'll take her home. Sling Blackston at 'em. You've got it all down fine. This is the highest coort in the whole birness. "Then't Judge Murray that's in it now. Come up here, Morrison, an' tell 'em all about it."
"Will somebody tell me what it is all about it."
"Will somebody tell me what it is all about it."
"Say, Jedge, listen till Morrison. He knows all about it. Don't be afeard to spake. Man alive, this is the coort for you," encouragingly urged Gillifeather upon the somewhat backward Morrison.

Atter a great deal of talk and explauations, all of which were interrupted as above by the sanguine Mr. Gillifeather, Judge Otterbourg learned that the case was a civil one and, therefore, could not be entertained by him. The father wanted Mass Gillifeather home, but she preferred to remain with her sister. Amid roars of laughter the paterfamiliae left the court, followed by his daughters, Morrison and counsel."

A STORY WITH A MORAL

Going to church with a young lady is undoubtedly a very proper and nice thing for a young gentleman to do on Sabbath evening; but when one takes a fair damsel from home to the house of prayer he very naturally expects to be her escert on the return. So danset from Home to the house of prayer he very maturally expects to be her escert on the return. So thought Alian Hay, no doubt, when he carried Miss Nettie Wagner's prayer book in one hand and her delicately gloved fingers on his arm to service on Sunday night. He was happy in church with her—supremely happy—for he did not know that leaning against a neighboring lamppost in the frosty air was John J. Hofstadter, waiting dejectedly for Nettie. It may be assumed, to save trouble, that the gentle creature herself was not aware of this fact either. But alsa' she behaved in a cruel manner to Alian when church was out. She saw the manly form of Hoistadter reposing trajectally against the aforementioned street lamp, and most unaccountably and unwarrantably transferred her prayer book to him, and with it that delicately gloved hand. Hay stood still. John was erect before his fellow man and strode homeward with Nettie, whose silvery suave "good night" floated like the whisper of a dream upon the scarcely creditions tympanum of Alian. One hour later Hofstadter was tripping joyonsly home along West Thirty-fifth street when he led a first under his right car, and, turning, was made to see stars and a battailon of Alian Hays. Allan was mighty in his wrait and was quelled by an officer only. Judge Otterbourg, at Jefferson Market Court, yesterday did not hold him.

MARRIAGES AND DEATHS.

MARRIED.

CURTISS—MILLS.—At Rye, N. Y., on Tuesday, December 24, by the Rev. Chauncey B. Browster, B. D. F. Curtis, of New York, to Ella M., daughter of the late Abner Mills, of Rye. No cards.

JONES, SHAIDANS.—On Tuesday, December 10, at Tremont, N. Y., by Rev. D. L. Marks, Dr. Fred. C. Jones, of Basking Ridge, N. J., to Fannie H., eldest daughter of Richard K. Haldadare, of New York.

Boston and Philadelphia papers please copy.

YALLADE—CULOIN.—On Thursday, December 26, at the Washington Square Methodist Episcopal Church, by Rev. James M. King, D. D., William P. Yallaler to Jennie E., daughter of James Culgin, Esq. MARRIED

DIED.

ADAMS.—At his residence, at No. 214 West 27th st.,
Mr. ADAMS, in the 35th year of his age.

Relatives and friends of the family are invited to
attend the funeral, which will take place on January
1. 1879, at eleven o'clock, from the Church of the
Holy Communion, 25th st., corner 6th av.

BADEAU.—On Sunday. December 29, LUCETTA
RAYMOND, reliet of Ephriam F. Badeau, in the 85d
year of her age.

Funeral from the residence of her son-in-law,
Theodore Bernard, 80 Rycrson st., Brooklyn, on
Tucslay at two o'clock. Relatives and friends invited.

comor 29, anchard H. Bran, in the 54th year of his age.

Funeral will take place from the residence of his nephew. John Carey, at the above number, on Tuesday, December 31, at half-past one o'clock.

CABILL.—On Sunday, December 29, PATRICK CABILL.—On Sunday, December 29, PATRICK CABILL.—On Sunday. Lismore, county Waterford, Ireland.

Relatives and friends are respectfully invited to attend the funeral second second.

CABILL.—On Santay, December 29, Patrick CaHill., a native of Ballyanker, Lismore, county Wateriord, Ireland.

Belatives and friends are respectfully invited to attend the funeral from his late residence, 218 West
35th st., at two P. M., Tuesday, December 31. Interment in Calvary.

Couren.—On Monday, December 39, 1878, of diphtheria, Eorra Little Tootsie, youngest child of Vincent and Maggie Colyer, in her 4th year.

Funeral private, from the residence of her parents, 200 East 57th st., Wednesday, January 1, 1879,
at ten A. M.

Conning.—At Sparkhill, N. Y., December 29, WillIMB Conning, Sr., in the 7th year of his age.

The funeral will take place at the Jane Street Methindist Episcopal Church, on Friday, the 3d ult., at
hid takend without further notice. His remains
A spa fatent of Greenwood for interment.

In the N.—In Brooklyn, December 29, 1878, Chana

Sensitife of George S. Corbin, and daughter of
Dinas. ain Henry Greenleaf. Funeral private,
aged 80 yeafortland papera please copy.

Relatives airaday, December 29, 1878, Chana

the N.—In Brooklyn, December 29, 1878, Chana

Relatives airaday, December 29, 1878, Chana

aged 80 yeafortland papera please copy.

Relatives airaday, December 29, 1878, or on
his late residence, No. 86

Fines.—December Sanuary 1, 1879, at two P. M.

wife of Robert Ferns.

The funeral will take plane Ferns, the beloved
2, 1879, from the Chuuch of
o'clock.

Hullann,—Mariaetta Lazellemation, at one
ter of E. F. and A. E. Hillmann, in
her age, of diphteris.

Funeral takes place to-day, December year of
o'clock, from 352 8th av.

Hullann,—Mariaetta Lazellemation, at one
becember 29, after a long and painful illness,
with Christian resignation, Ann Mariaett, will
her age, of diphteris.

Funeral to be held at the residence of her son-inlaw, E. L. Baker, No. 822 Jersey av., Jersey City,
Johnson.—On December 25, of pneumonia, Epwand
C. Johnson,—On December 25, of pneumonia, Epwand
C. Johnson,—On December 25, of pneumonia, Epwand

law, E. L. Baker, No. 522 Jersey av., Jersey City, Tuesday, December 31, at eleven A. M. Baltimore, Washington and Eric (Pa.) papers please copy.

Johnson, in the 63d year of his age.
Friends are invited to attend the funeral, at the Broadway Tabernacle, corner 34th st. and 6th av., Theaday, December 31, at halt-past nine A. M.

KERNER.—On December 30, EMMA. daughter of Sevastian and Mary Kerner, aged 5 years and 7 months. Funeral from her late residence, 45 West 40th st., on Wednesday, January 1, 1879.

KOMAVENS.—On December 30, 1878, John Komavens, aged 6 years, 4 months, 24 days.

Friends and relatives are respectfully invited to stend the funeral, from his parents' residence, 1,652 lat av., near 57th st., at one P. M., Thursday, January 2, 1879.

KUHLWEIN.—On December 28, after a short illness, Henny Kufilwein, aged 32 years and 4 days.

The friends of the family and the members of the Police Department (Fourteenth precinct) are cordially invited to attend the funeral, from his lateresidence, No. 58 av. C, at one o'clock, Tuesday, 31st of December.

LAUNSBERRY.—Suddenly, Sunday evening, December 23, at the residence of her uncle, Amos Woodruif, ELIAL J., youngest daughter of Janes and Sarah W. Launsberry, of Stamford, Conn., in the 8th year of her age.

Funeral services this day, at one o'clock P. M., at the Church of the Holy Communion, 20th st. and 6th av. Relatives and friends of the family are invited to attend.

LEFFERTS.—On Sunday evening, December 29, after a hispering illness, AMELIA A. LEFFERTS, aged 60 years and 18 days.

Relatives and friends of the family and of her sons, John A. and the late Marshal Lefferts, and her son-inlaw, John McKisson, are invited to attend the funeral and 18 days.

Relatives and friends of the family and of her sons, John A. and the late Marshal Lefferts, and her son-inlaw, John McKisson, are invited to attend the funeral of our late sister, Hannah Levy, on this (Tuesday) morning, at nine o'clock, from her late residence, 72 Greenwich st.

Relatives and Flends of the fa

Funeral on New Year's Day, half-past one P. M., from his late residence, SH Green wich st.: thence

Funeral on New Year's Day, half-past one P. M., from his late residence, \$11 Greenwich st.; thence to Calvary Cemetery.

The New York Young Men's Roman Catholic Benevolent Association—Brothers:—You will meet at \$11 Greenwich st., Wednesday, January 1, 1879, at two o'clock P. M., for the purpose of attending the funeral of our late brother, John Mackey.

Pathick Troise.

Peter Eagan,
Financial Secretary.

Meyer.—After a short illness, on Sunday evening, December 29, 1878, Louise Meyers, on Sunday evening, December 29, 1878, Louise Meyers, while of Fordinand Meyer, in the 66th year of her age.

Relatives and friends are respectfully invited to attend the funeral, from her late residence, corner 178th st. and 4th av., Tremont, New York city, on Wednesday, January 1, 1879, at one o'clock P. M.

Muldoon.—At No. 243 Smith st., South Brooklyn, corner of Douglass st., on Sunday, December 29, 1878, at one o'clock P. M.

Muldoon and and Patrick T. Muldoon.

Relatives and friends are respectfully invited to attend the funeral, on Tuesday, December 31, at one o'clock P. M.

MCNALLY.—Suddenly, on the 30th inst., Ediza Mo-Nally.—Suddenly, on the 30th inst.

tend the funeral, on Tucsday, December 31, at one o'clock P. M.

McNally.—Suddenly, on the 30th inst., Eliza MoNally, aged 50 years.

Relatives and friends are respectfully invited to attend the funeral, on January 1, at her late residence, 345 Eggs 34th st., two o'clock.

O'lless.—On December 30, 1878, James O'Burse, aged by years.

Relatives and friends of the family are invited to attend the funeral, from his late residence, Bergen Point, N. J., on Wednesday, January 1, 1879, at half-past eight A. M., to St. Peter's Cemetery, Jersey City, for interment.

Phillips.—On Sunday morning, December 29, Samuel C. Phillips.

For interment.

PHILLIPS.—On Sunday morning, December 29, SAMURI C. PHILLIPS.

Funeral from the Church of the Transfiguration,
Rev. Dr. Houghton, 29th st., on Thosday, 3ist inst.,
at twelve o'clock. Interment at Boston.

REID.—On Sunday, the 29th of December, 1878,
JANE REID, daughter of the late Robert Reid, of
Ballymena, county Anirim, Ireland.

Funeral from her late residence, No. 196 3d av., at
eleven o'clock, on the morning of Wednesday, the let
of January, 1879.

RICHTEL.—At Dresden, Germany, on December 12,
HERMANN F. RICHTER, aged 39 years, followed his beloved wife, TILLIF FELDMANN, who died August 7,
1878.

SCHREMERROUN.—At his late residence, in Pequabuck, Conn., suddenly, on Saturday, 28th inst., AlPRED SCHREMMERROUN,—At his late residence, in Pequabuck, Conn., suddenly, on Saturday, 28th inst., AlPRED SCHREMMERROUN,—ON SINDAY, December 29, CLARITA,
wife of Frederic G. Schlesinger.

Funeral services Trackday, December 31, at one P.
M., at the West Preebyterian Church, West 42d st.,
Rev. Dr. Hastings.

SCHMITH.—On Schulzday morning, December 28, SAMURL J. SMITH, in the 53d year of his age.

Funeral services from his late residence, 105 East
36th st., on Tucsday, December 31, at one o'clock
P. M.

SMITH.—On Monday, December 30, of paralysis,
BARTHOLOMEW SMITH, in the 60th year of his age.

38th st., on Tuesday, December 30, at one o'clock P. M.
SMITH.—On Monday, December 30, of paralysis, Bartholomew Smith, in the 60th year of his age.
The relatives and friends of the family are respectfully invited to attend his funcral, from his late residence, No. 340 East 14th st., on Wednesday, January I, at ten o'clock P. M.
TAYLOR.—Suddenly, on Saturday evening, December 28, 1878, Mrs. A. B. TAYLOR, wife of Noah D. Taylor, aged 30 years and 6 months.
The relatives and friends of the family are invited to attend the funeral, on Tuesday, at two P. M., from No. 37 West 21st st.
TAYLOR.—On Monday, December 30, JACON TAYLOR, aged 54 years.
Funeral services at the residence of his son, 33 Grove at., on Tuesday evening, 31st, at eight o'clock P. M.
THAYER.—In Brooklyn, on Sunday, 29th inst., of

THAYER.—In Brooklyn, on Sunday, 29th inst., of heart disease, Gronge F. Thayers formerly of Boston, thayra:—In Broostyn, on Summay, 20th Inst., of heart disease, Gronor F. Thayram formerly of Boston, in the 55th year of his age.
Funeral service at the Church of the Saviour, Pierrepont st., corner Monroe place, on Tuesday, 31st inst., at half-past two P. M. Roiatives and friends are invited to attend.

invited to attend.

Boston papers please copy.

Wall.—Suddenly, of heart disease, Mrs. Many A.

Relatives and friends are respectfully invited to attend the funeral, from her late residence, 409 West2rd st., at one o'clock to-day,

Woolnottum.—At Hackunsack, N. J., United States America, on Christmas Day, James H. Woollouwin, in his 78th year.

Lynn and Norwich, in Norfolk, and Bungay, in Suffolk, England, papers please copy.

Friends in both countries will please accept this intimation from his daughters.